CAUSE TITLE

Before the President of India Government of India New Delhi.

18th December 2024
Ref. No. CPT/AC5A/POIND/2(2D)

Complaint

Title

Ex-serviceman Contributory Health Scheme (Protection of Beneficiaries' Interest) Regulations

Subject Matter:

Affidavit that the Ex-servicemen are now forced to give in their contingent bills for reimbursement claims of the purchased medicines not available in the E.C.H.S. polyclinics is quoted as follows: "To ensure that the Central Government enjoys rebate to satisfaction of the BPA's Validator & the E.C.H.S., I neither purchased the List 2 medicines on credit due to delayed settlement & reimbursement of the previous claim nor did delayed payment & lost rebate for purchase of the List 1 medicines, without which I was for … days after prescription dated…" For protection of private health insurance customers against delayed reimbursement, there exists provision for time bounded payment & interest against health insurance companies in case of default, under clause 16 of the IRDAI (PPI) Regulations, 2017; but for the aged & helpless beneficiaries of the E.C.H.S., who contributed lump sum amount at the time of their retirement, there exists not assurance but anxiety, uncertainty, hopelessness, & tendency to do without the not available medicines due to endless failure of the Central Government to reimburse timely. Being representative of soldiers & their dependents, the Defence Minister cannot be allowed to be ignorant of the aforesaid law for the last 10 years; thus, the President of India is requested to legislate the E.C.H.S. (Protection of Beneficiaries' Interest) Regulations; otherwise the Central Government will enjoy rebates at the cost of lives of the beneficiaries.

Anirban Chakraborty S/o Nk Gopal Chakraborty (Retired)
XXXXXXXXXXXXXXXX
E.C.H.S. Card No.: XXXXXXXXXXXX
Polyclinic: Salt Lake, Regional Centre: Kolkata, West Bengal

2 No. Motilal Colony, P.O.: Rajbari Colony,
Calcutta 700081, (North) 24 Parganas, West Bengal,
XXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXX XXXXXXXXXXXXXXXX (Registered with PGPORTAL)

… The Authorised Representative & Complainant

Versus

Defence Minister Shri Rajnath Singh,
Central Organisation Ex-Servicemen Contributory Health Scheme, &
Department of Ex-Servicemen Welfare, Ministry of Defence
of the Bapuji Cake Health Scheme
~~Government~~ Oligarchy of India, New Delhi

… The Defendants

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Anirban Chakraborty
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Save the RTI Act and the RTI Investigators from human rights violation.

PRSEConline. PGPORTAL. Email Publish post reply.

Complaint

To,
The President of India

Office of the President's Secretariat
Government of India
Rashtrapati Bhavan, New Delhi - 110004.

Ref. № *CPT/AC5A/POIND/2(2D)*
Calcutta the 18th December 2024

Subject:
Requisition for reimbursement of E.C.H.S. individual claims invariably within one month from the date of submission of claim documents at the polyclinics, else provision for interest.

References:
1) PGPORTAL Docket Nos. MODEF/E/2024/0007862, DDESW/E/2024/0005244, & DDESW/E/2024/0005245 (all identical)
2) E.C.H.S. Regional Centre Kolkata Director's Reply Letter dated 1st Nov 2024 being no. 202771/CPGRAMS/Med.

Respected Official,
When a complaint against the Central Government is liable to be dismissed for the reason that the PGPORTAL does not entertain suggestions of the voters; then, it is indispensable to address the nation on the face of the Central Government.

Cause of action:
The people of India,
There is in force one gazette notification for protection of interest of the private health insurance customers against delayed reimbursement of medical claims, which read as follows:

> **Insurance Regulatory and Development Authority of India (Protection of Policyholders' Interests) Regulations, 2017**
> *16. CLAIM PROCEDURE IN RESPECT OF A HEALTH INSURANCE POLICY*
> ***1.*** *Every insurer shall adhere to the procedure laid down under Insurance Regulatory and Development Authority of India (Health Insurance) Regulations, 2016 for settlement of health insurance claims.*
> ***(i) An Insurer shall settle the claim within 30 days from the date of receipt of last necessary document*** *in accordance with the provisions of Regulation 27 of IRDAI (Health Insurance) Regulations, 2016.*

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(ii) In the case of delay in the payment of a claim, the insurer shall be liable to pay interest from the date of receipt of last necessary document to the date of payment of claim at a rate 2% above the bank rate.

2. *However, where the circumstances of a claim warrant an investigation in the opinion of the insurer, it shall initiate and complete such investigation at the earliest, in any case not later than 30 days from the date of receipt of last necessary document. In such cases, Insurer shall settle the claim within 45 days from the date of receipt of last necessary document.*

(i) *In case of delay beyond stipulated 45 days the Insurer shall be liable to pay interest at a rate 2% above the bank rate from the date of receipt of last necessary document to the date of payment of claim.*

The fraudulent Central Government, however, wants from the private health insurance companies performance of the law, which the Central Government itself does not perform in the interest of the aged and helpless beneficiaries cum customers of the Bapuji Cake Health Scheme, i.e. Central Government Health Scheme and Ex-servicemen Contributory Health Scheme.

Have such provision existed in the E.C.H.S.; then, the other rank beneficiaries would not have to wait for months for reimbursement of the cost of

- not available medicines at polyclinics,
- emergency treatment availed at non empanelled hospitals, or
- referred treatment availed at empanelled hospitals, which are unwilling to provide cashless treatment to the beneficiaries due to huge unpaid bills.

It is so because

- in the E.C.H.S., funds not available after the poor E.C.H.S. at priority reimburses the claims of JCOs and officers,
- pays bills for their exclusive luxury at the empanelled hospitals and non empanelled hospitals, and
- the bill processing agency, UTI ITSL, passes a few claims to the exchequer that the Central Government is capable to reimburse at a time, thereby blocking as many claims as possible on silly excuses, vide PGPORTAL docket numbers as referred.

Now, question arises whether, in last ten years, Defence Minister Shri Rajnath Singh knows about this issue, and whether the Indian Military officers who are accountable for the running the E.C.H.S. to satisfaction of the beneficiaries have bring this issue into the notice of the Defence Minister.

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If the issue is unknown to the Defence Minister; then, it is well understood that the officers are prioritising their own interest and luxury, given the fact that less than sufficient funds are allotted to the E.C.H.S.; thereby making other rank beneficiaries

to do without the not available medicines due to failure to purchase the same for delayed reimbursement. Even the officers see injury to their stature in extending officers like E.C.H.S. facilities to Havildar Madan Singh Kajla (retired) and its spouse, who voluntarily contributed to the E.C.H.S. Polyclinic Sikar about Rs. 8 lakhs, which is equal to the contributions jointly made by 7 to 8 officers at the time of their retirement for getting the E.C.H.S. facility.

If it is known to the Defence Minister; then, let the voters decide whether the lucrative health care schemes like Ayushman Bharat and the like, extended to the civilians, may met with the same fate, i.e. funds not available.

Requisition: There are growing questions as to intention of the Central Government and doubts as to competitiveness of the Defence Minister; thus, President of India please with urgency through gazette notification implement provisions for protection of interests of the E.C.H.S. beneficiaries and my parents, so that they can always purchase medicines not available in the next month at the polyclinics. Thanks.

Hopefully, &c., Place: Dum Dum, Calcutta.

(Signed) Enclosures: As stated before.
ANIRBAN CHAKRABORTY
The complainant, patient-party,
and authorised representative.

Copy forwarded for information to: By email
(1) The Defence Minister.
(2) Managing Director and others at C.O. E.C.H.S.
(3) Director Regional Center Kolkata.
(4) Officer-in-Charge E.C.H.S. Polyclinic Salt Lake.
(5) Secretary & Under Secretary (Welfare) D.E.S.W.

AFFIDAVIT

I Anirban Chakraborty S/o Nk Gopal Chakraborty (Ex-Army) aged about 36 years being an Indian citizen and in the capacity of being the offspring, authorised representative, and the patient-party of the E.C.H.S. beneficiary; do hereby solemnly affirm that the statements made in this complaint are true to my knowledge and information received and the rest are my humble submissions.

ANIRBAN CHAKRABORTY
Signature in ink is not required, as submitted through email address registered in PGPORTAL.

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Clarification: Herein again I repeat what I have written in many correspondences with the Central Government:

> *In West Bengal, Bapuji Cake costs Rs. 7 and Monginis cake costs above Rs. 300. You know the standard of government service is reasonable, neither the best nor the worst, just*

because no person in this country, rich or poor, should die without ever having the taste of cake – at least of Bapuji cake. This explains why Swasthyasathi card holders (W.B. Govt.) and E.C.H.S. and C.G.H.S. card holders (Central Govt.) are sometimes refused services[1] *by costly hospitals (with exception BM Birla). C.G.H.S. and E.C.H.S. are here to assure the beneficiaries that they will live in their sunset years with dignity and independently; but sadly, compromise is the best advocate, as no patient is supposed to get ambulanced to an advocate's chamber instead of a doctor's clinic.*

I would rather say Bapuji Cake Health Scheme than saying Central Government Health Scheme and Ex-servicemen Contributory Health Scheme. This is not mockery of the C.G.H.S. and the E.C.H.S. on which lives of many beneficiaries and that of my parents are dependent, but criticism of the Govt. with constructive feedback. It is my earnest request to you to keep in mind that herein Bapuji Cake Health Scheme refers to the C.G.H.S. and the E.C.H.S.

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Calcutta High Court Division Bench, APOT 261 of 2024:

Every member of the public has the right to know the truth and if the truth is in the public interest, a member of the public has every right to expose it. … But expression of this freedom is subject to certain conditions under the law of defamation. The first is that it should stand the test of justification or truth or must be a fair comment or the maker of the statement must owe a duty to the persons to whom the defamatory statement was published, which is described as qualified privilege. If the maker fails the test he is liable to pay damages in the civil action and may be charged with commission of an offence.

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1 C.O. E.C.H.S. letter no. B/49770/AG/ECHS/Treat/Policy/2022 dt. 21st July 2023.